

REMARKS

Claims 1-7 and 22 are all the claims pending in the application. Claim 1 has been amended herein. This Response, submitted in reply to the Office Action dated August 14, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claim Rejections 35 U.S.C. § 103

Claims 1 and 5-7

Claims 1 and 5-7 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen et al. (US 6,170,083; henceforth “Chen”) in view of Adl-Tabatabai (US 6,170,083). Applicant respectfully traverses this rejection.

Claim 1 recites, in part, “dividing the program source code statements of said computer program into a plurality of code coverage tasks, each of the plurality of code coverage tasks comprising a plurality of basic blocks of code wherein one of the plurality of basic blocks of code comprises a set of consecutive statements with a single entry point and a single exit point and wherein one of the plurality of basic blocks of code comprises a control statement, which comprises a conditional statement, separate from the set of consecutive statements”. In other words, in an exemplary embodiment of claim 1, control statements such as “if” are code blocks separate from any non-control statements. As discussed in the present specification, using separate code blocks for control statements such as “if” statements, can ease the detection of source code changes, which affect the associated block of code (i.e. a basic block which follows

the control statement). *See* Paragraph [0051], lines 17-20. Applicant respectfully submits that neither reference applied by the Examiner teaches this feature.

In the Office Action, the Examiner acknowledges that Chen does not teach a plurality of code coverage tasks comprising a basic block of code in which the basic block of code is a set of consecutive statements with a single entry point and a single exit point. Instead, the Examiner asserts that Adl-Tabatabai teaches this feature. However, Applicant submits that Adl-Tabatabai does not teach a basic code block comprising “a control statement...separate from the set of consecutive statements”.

Adl-Tabatabai defines a basic block of code as “a set of instructions between branch instructions”. As would be apparent to a person of ordinary skill in the art, if a basic block of code is defined “as a set of instructions between branch instructions [i.e. “if” statements]”, the basic block of code defined in Adl-Tabatabai cannot contain “a control statement...**separate** from the set of consecutive statements”. Specifically, if the block of code defined in Adl-Tabatabai had “a set of instructions between branch instructions”, the block of code would have a control statement **in a basic block of code**, but **not** “separate from the set of consecutive statements” as claimed. Further, Adl-Tabatabai shows in Fig. 6a a basic block of code A consisting of instructions 1, 2, 3, and the conditional “if” branch instruction. Adl-Tabatabai does not teach or even suggest a basic block of code comprising “a control statement, which comprises a conditional statement, separate from the set of consecutive statements” as claimed in claim 1.

Therefore, Adl-Tabatabai cannot teach “dividing the program source code statements” as claimed because Adl-Tabatabai fails to recognize the need to form basic code blocks “comprising a set of consecutive statements”, and basic code blocks comprising a control statement, which comprise a conditional statement, separate from the set of consecutive statements. Therefore, Applicant respectfully submits that claim 1 is patentable over the applied reference for at least this reason.

Further, claim 1 also recites “generating a persistent unique name for each of the plurality of basic blocks of code of each of the code coverage tasks of said plurality of code coverage tasks.” In other words, in an exemplary method consistent with claim 1, a unique name is generated for each block of code, and as discussed above, blocks of code are divided so that control and non-control statements are separated. Therefore, in the exemplary method, unique names are assigned to basic blocks of code “comprising a set of consecutive statements” and basic blocks of code comprising “control statements, which comprise conditional statements, separate from the set of consecutive statements”. Neither Chen, nor Adl-Tabatabai teach this feature.

For at least the above discussed reasons, Applicant respectfully submits that claim 1 is patentable over the applied references and respectfully requests that this rejection be withdrawn.

Claims 2-4, and 22

Claims 2-3, stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen in view of Adl-Tabatabai, further in view of “Managing data through naming standards” by Winder, Software, IEEE, Volume: 7, Issue: 4, July 1990 (Winder). Further, claim 4 stands

rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen in view of Adl-Tabatabai in view of Reinhardt (US 5,778,169). Further, claim 22 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen in view of Adl-Tabatabai in view of Pastilha et al. (US 5,673,387; henceforth “Pastilha”). Applicant respectfully traverses this rejection.

Claims 2-4 and 22 depend from claim 1, which has been shown above to be patentable over the Chen and Adl-Tabatabai references. The additional references cited by the Examiner do not cure the deficiencies of the Chen and Adl-Tabatabai references. Therefore, Applicant respectfully submits that these claims are patentable at least by virtue of their dependency and respectfully requests that the rejection of these claims be withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 09/990,802

Attorney Docket No.: CA1259

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Ruthleen E. Uy/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/142133

46159

CUSTOMER NUMBER

Date: October 16, 2008

Ruthleen E. Uy
Registration No. 51,361